

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.670 OF 2004
IN
SUMMARY SUIT NO.1827 OF 2004

Mrs.Pervana Dara Mistry ..Plaintiff.

Vs.

Mr.Manucheher
@ Minoo Khodayar Kayani & Anr. ..Defendants.

Mr.G.B.Kedia for the Plaintiff.
None for the Defendants.

CORAM: S.J.VAZIFDAR, J.
DATED: 24TH AUGUST, 2005

P.C. :

The suit is filed to recover a sum of Rs.25,00,000/- with interest. The suit is based on six dishonoured cheques drawn by Defendant No.1 in favour of Defendant No.2, who is the wife of Defendant No.1. Defendant No.2 has also confirmed her liability in respect of the suit dues.

2. There is no affidavit in reply filed. Mr.Kedia invited my attention to the proceedings initiated by Defendant No.1 under section 138 of the Negotiable Instruments Act for the purpose of the present Summons for Judgment. The same are not relevant.

3. In the circumstances, there is no defence to the

suit.

4. The Summons for Judgement is therefore made absolute. However, the interest, after the date of the suit shall be at 18% per annum.

5. The attachment levied by order dated 29th April, 2005 to continue in execution.

Refund as per rules.